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Hsi-Hsun Huang

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PERKINS COIE LLP

PATENT-SEA

P.O. BOX 1247

SEATTLE, WA 98111-1247

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VO, QUANG N

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/828,856	Applicant(s) HUANG, HSI-HSUN	
	Examiner QUANG N. VO	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's arguments with respect to claims 1 and 3-40 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 9-14, 17, 19-23, 25-36, 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US 6,594,690) in view of Shima (US 2002/0004802).

With regard to claim 1, Cantwell discloses a server for a network, the server configured to enable a user at a station (e.g., computer 4, figure 1) to scan a document at a scanner (e.g., scanner 10, figure 1) to obtain scanning data, the server (e.g., server 6, figure 1) comprising: a database of scanner drivers (e.g., device drivers stored at website at intranet server or internet server; Col 2 Lines 9-14); a driver selection system to enable the user to select a driver for the scanner from the database of scanner drivers in response to one or more inputs provided to a browser hosted at station (e.g., a user operates a browser on computer to browse to the website where the device driver is located, column 2, lines 29-34), one or more inputs received at server over a data transmission network (computer communicates with server through connection,

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Col 2 Lines 3-8; user selects driver Col 3 Lines 3-7); and a delivery system to transfer selected driver to station (driver downloaded by website and installed on computer; Col 3 Lines 8-12).

Cantwell differs from claim 1, in that he does not explicitly teach to enable user to select a location from web browser for saving scanning data, location being selected from locations including locations other than station.

Shima discloses to enable user to select a location from web browser (e.g., HTML format file is specified with an URL as “retrieval information” **such as http://server name/directory name/file name (select a location from the web browser)** whereby the file can be read, figure 3, paragraph 0122) for saving scanning data (e.g., the web browser 63 has function of “bookmark save” to save particular image data at different URLs locations, paragraph 0147), location being selected from locations including locations other than station.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell to include a destination selection system to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than station as taught by Shima. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Shima to conveniently access or retrieve information from web browser.

For claim 3, which is representative of Claim 22, Cantwell teaches wherein the predetermined location comprises a universal resource locator (URL) (Col 2 Lines 21-28).

Considering claim 4, Cantwell discloses wherein the location specifies a media to be used to save the scanning data (Col 2 Lines 15-20).

For claim 9, Cantwell teaches wherein the selected driver is transferred to the station in a self-extracting file (Col 2 Lines 45-53).

For claim 10, Cantwell discloses wherein the driver is configured to be removed from the computer after the scanning data is saved in location (Col 3 Lines 13-18).

For claim 11, Cantwell teaches wherein the server further comprises a network connection configure to transmit information between data transmission network and at least one of driver selection system and/or delivery system (Col 3 Lines 13-18).

With regard to claim 12, the subject matter is similar to claim 1. Therefore claim 12 is rejected as set forth above for claim 1.

Considering claim 13, Cantwell teaches wherein server is further configured to populate a menu viewable at computer on web browser identifying two or more of plurality of scanner drivers (Col 1 Lines 34-44).

Regarding claim 14, which is representative of claim 19, Cantwell teaches wherein server is configured to render menu according to a hypertext transfer protocol (Col 2 Lines 20-34).

Referring to claim 17:

Claim 17 is the method claim corresponding to operation of the device in claim 1 with method steps corresponding directly to the function of device elements in claim 1. Therefore claim 17 is rejected as set forth above for claim 1.

Considering claim 20, Cantwell teaches wherein enabling selection of at least one of scanner drivers in response to received information comprises receiving inputs from a menu rendered on web browser (Col 2 Lines 20-67).

For claim 21, which is representative of claim 23 Cantwell teaches wherein location comprised an electronic mail (e-mail) address (Col 2 Lines 21-28).

With regard to claim 25, Shima discloses wherein destination selection system is further configured to: insert a destination address of the selected location for saving scanning data in the self-extracting executable file prior to the transferring (paragraph 0147).

With regard to claim 26, Shima discloses wherein the selected driver, when executed by the computer, is configured to: poll the server to obtain a destination address of the selected location for saving scanning data (paragraph 0147).

With regard to claim 27, Cantwell teaches wherein the selected driver is transmitted to computer as a self-extracting executable file (Col 2 Lines 45-53).

With regard to claim 28, Shima discloses wherein destination selection system is further configured to: insert a destination address of the selected location for storing scanning data in the self-extracting executable file prior to the transferring (paragraph 0153).

With regard to claim 29, Shima discloses wherein the transmitted driver is further configured to: poll the server to obtain a destination address of the location for storing scanning data (paragraph 0147).

With regard to claim 30, Shima discloses further comprising: inserting a destination address of the selected location for saving scanning data in a self-extracting executable file prior to transmitting (paragraphs 0147, 0153).

With regard to claim 31, Cantwell differs from claim 31, in that he does not teach explicitly polling the server to obtain a destination address of the selected location for saving scanning data.

Shima discloses polling the server to obtain a destination address of the selected location for saving scanning data (paragraphs 0147, 0153).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell to include polling the server to obtain a destination address of the selected location for saving scanning data as taught by Shima. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Shima to make scanning data available to other devices connected to the same network.

With regard to claim 32, Cantwell discloses wherein selected driver is transferred to station over a file transfer protocol connection (e.g., the device drivers may have previously been retrieved from internet server 16 or any other means, column 2, lines 9-13).

With regard to claim 33, Shima discloses wherein destination selection system enables user to select a location from browser by indicating the location in a text box provided by browser (e.g., http://server name/directory name/file name (select a location from the web browser) whereby the file can be read, figure 3, paragraph 0122).

Referring to claim 34:

Claim 34 is the method claim corresponding to operation of the device in claim 32 with method steps corresponding directly to the function of device elements in claim 32. Therefore claim 34 is rejected as set forth above for claim 32.

Referring to claim 35:

Claim 35 is the method claim corresponding to operation of the device in claim 33 with method steps corresponding directly to the function of device elements in claim 33. Therefore claim 35 is rejected as set forth above for claim 33.

With regard to claim 36, Cantwell discloses a server configured to enable a user at a remote station to scan a document at a scanner to obtain scanning data, the server comprising: means for storing multiple scanner drivers (device drivers stored at website at intranet server or internet server; Col 2 Lines 9-14); means for enabling the user to select a driver for the scanner from the means for storing in response to one or more inputs provided to a browser hosted at the remote station (e.g., a user operates a browser on computer to browse to the website where the device driver is located, column 2, lines 14-20), wherein the server receives the one or more inputs over a data transmission network (computer communicates with server through connection, Col 2

Lines 3-8; user selects driver, Col 3 Lines 3-7); and means for transferring the selected driver to the remote station

Cantwell differs from claim 36, in that he does not explicitly show means for enabling the user to select a location from the browser for saving the scanning data, wherein the user selects the location from multiple locations including locations other than the remote station; and means for transferring the selected driver to the remote station.

Shima discloses means for discloses to enable user to select a location from web browser (e.g., HTML format file is specified with an URL as “retrieval information” **such as http://server name/directory name/file name (select a location from the web browser)** whereby the file can be read, figure 3, paragraph 0122) for saving scanning data (e.g., the web browser 63 has function of “bookmark save” to save particular image data at different URLs locations, paragraph 0147), location being selected from locations including locations other than station.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell to include a destination selection system to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than station as taught by Shima. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Shima to give access to other device connected to network.

With regard to claim 38, Cantwell discloses further comprising means for installing the selected driver at the remote station (column 2, lines 45-53).

With regard to claim 39, Shima discloses further comprising means for storing scanning data of the user (paragraph 0147).

With regard to claim 40, Shima discloses further comprising means for enabling the user to view the stored scanning data (paragraph 0147).

Claims 5-8,15,16,18 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US6,594,690) and Shima (US 2002/0004802) and further in view of House et al. (House) (US 6,785,805).

For claim 5, which is representative of claim 18, Cantwell and Shima disclose the server as described above. Cantwell and Shima do not disclose expressly a login system configured to enable user to access driver selection system following establishing an identity of the user.

House discloses a login system configured to enable user to access driver selection system following establishing an identity of the user (Col 29 Lines 13-22).

Cantwell, Shima & House are combinable because they are from the same field of endeavor, network driver devices.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine House with Cantwell and Shima by incorporating a login system in the server.

The suggestion/motivation for doing so would have been to provide personalized user information, so that only authorized users are able to gain access to the server, and thus maintaining the security of the system.

Therefore, it would have been obvious to combine House with Cantwell and Shima to obtain the invention as specified in claim 5.

For claim 6, House teaches wherein the login system is configured to correlate the identity of the user with an account on the server, and wherein the scanning data is saved in association with the account (Col 29 Lines 23-42).

For claim 7, it would be inherent for the account to comprise an email account.

For claim 8, House teaches a viewing system for enabling the user to view the scanning data saved in the account (Col 11 Lines 56-67; Ref 100).

Regarding claim 15, House teaches wherein server further comprises a login system that enables computer to access driver selection system in response to authentication of user (Col 29 Lines 13-22).

For claim 16, Cantwell discloses wherein server is configured to store one or more cookies on computer in response to authentication (Col 2 Lines 40-67).

With regard to claim 37, Houses discloses further comprising means for authenticating the user (Col 29 Lines 13-22).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US6, 594,690) in view of Shima (US 2002/0004802) and further in view of Schneider et al (US 5,587,533).

Cantwell and Shima disclose the server as discussed above.

Cantwell and Shima do not disclose expressly wherein destination selection system is further configured to determine whether user has write permission associated with location; and warn user if location is not a valid destination for storing scanning data.

Schneider discloses scanned data that is stored under a user defined file name and the user is queried if the scanned data is to be saved or not (Col 23 Lines 31-44).

Cantwell, Shima & Schneider are combinable because they are from the same field of endeavor, scanning objects.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Schneider with Cantwell and Shima. "

The suggestion/motivation for doing so would have been to provide a warning system for the user. Therefore, it would have been obvious to combine Schneider with Cantwell and Shima to obtain the invention as specified in claim 24.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QUANG N. VO whose telephone number is (571)270-1121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Y. Poon can be reached on 5712727440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang N. Vo/
Examiner, Art Unit 2625

/King Y. Poon/
Supervisory Patent Examiner, Art
Unit 2625

